



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT
Tentative Notice of Action**

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 14, 2016 EFFECTIVE DATE October 29, 2016	CONTACT/PHONE Cindy Chambers (805) 781-5608	APPLICANT Chad and Lauren Rava	FILE NO. DRC2015-00148
SUBJECT A request by CHAD AND LAUREN RAVA for a Minor Use Permit (DRC2015-00148) to allow a wine production facility (maximum 10,000 cases of wine annually) and a public tasting room within two existing structures on an 80-acre site. The request includes a 9,928 square foot (sf) wine production facility in an existing 34,500 sf agriculture storage barn, an 830 sf tasting room to be located on the ground floor portion of an existing residence, and a 500 sf outdoor crush pad. The applicant is also requesting a modification to allow the wine production facility to be located 51 feet from the west side property line instead of 100 feet per ordinance requirement. The site was previously authorized for up to 25 Temporary Events per year (DRC2010-00086). The proposed project is within the Agriculture land use category and is located at 6785 Creston Road, approximately 4.5 miles east of the City of Paso Robles. The site is in the North County planning area of the El Pomar-Estrella sub area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2015-00148 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption was issued on August 22, 2016 under ED2016-022			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 035-341-023 & 24	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: <i>Does the project meet applicable Planning Area Standards: Light and Glare. Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on October 29, 2016, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Single-family residence with a three-bedroom bed and breakfast, a 34,500 sf ag barn with authorization for Temporary Event Assembly.			
SURROUNDING LAND USE CATEGORIES AND USES: <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Agriculture / vineyards <i>South:</i> Agriculture / grazing</div><div><i>East:</i> Agriculture / vineyards <i>West:</i> Agriculture / vineyards</div></div>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, Building, Regional Water Quality Control Board, CAL FIRE, City of Paso Robles	
TOPOGRAPHY: Gently rolling to nearly level	VEGETATION: 69 acres of wine grapes
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CAL FIRE	ACCEPTANCE DATE: July 29, 2016

PROJECT HISTORY

In 2012, a Minor Use Permit (DRC2010-00086) authorized Temporary Events on-site. Improvements associated with this land use permit included enclosing an existing 34,500 sf metal barn which is divided into two sections: 16,027 sf used for agricultural storage and 16,267 sf for when Temporary Events are held. The project also allowed conversion of the first floor of an existing 4,363 sf, two-story residence to serve as the event staging area that included a meeting room, a catering preparation area, and an office that is separated by a breezeway from public restroom facilities. An area adjacent to the agricultural barn provides event parking with space for 163 vehicles. The remaining 69 acres of property is planted in vineyards. Construction improvements authorized under this Minor Use Permit are currently in progress.

Temporary Event program includes up to 25 Temporary Events as follows:

- 1 event with up to 1,000 guests;
- 1 event with up to 700 guests;
- 5 events with up to 500 guests;
- 8 events with up to 350 guest; and
- 10 events with up to 250 guests.

PROPOSED PROJECT

The applicants are requesting a Minor Use Permit for a 9,928 sf wine processing facility that will be located with a portion of the existing 16,027 sf agricultural storage area. The proposed production winery operation will produce approximately 10,000 cases per year. Winery operations will include fermentation, barrel aging, blending, bottling, and case good storage.

At this time, the proposed winery will process grapes that are crushed off-site, however, in the future onsite grape production may also be processed at this facility. A 500-sf outdoor crush pad is proposed on the western side of the production room to allow for future on-site grape processing. The application also includes a wine tasting room, to be located within the 830 sf meeting room and service bar previously authorized for temporary events. No new site disturbance is required for this change of use. The property has two points of access on Creston Road, and the adjacent lands to the west are owned by a family member.

The site was previously authorized for up to 25 Temporary Events per year (DRC2010-00086) which will allow temporary event assembly in a 17,294 sf portion of the ag barn, and allows conversion of the lower floor of an existing residence to public space for meetings, bar service and staging, a catering-prep kitchen, restrooms and ancillary uses for temporary events. The 3,400 sf upper floor of the residence is authorized under separate permit for Bed and Breakfast (ZON2015-00709). The temporary events permit authorized parking for 163 vehicles, landscaping and outdoor use areas. The property also includes 69 acres of vineyards. This request for winery and wine tasting is a change of use within existing buildings, with no new site disturbance. A modification to the required 100-foot setback is requested to allow wine processing in an existing structure located 51 feet from the side property line.

LAND USE ORDINANCE STANDARDS:

Ordinance Compliance:

The project is subject to Land Use Ordinance section 22.30.070, ag processing uses, which sets forth standards for winery development including but not limited to access, setbacks, parking, design, screening, height, lighting and tasting rooms.

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Description of Use (Section 22.30.070)	Description of all processes and equipment proposed for processing	8 tanks, bottle filler, crowner/ bidular, 2 duo gyropallets, disgorging line; max production of 10,000 cases annually	Yes
Minimum Site Area (Section 22.30.070)	No minimum for winery with wine tasting and processing.	80 acres	Yes.
Access location (Section 22.30.070)	Wineries with tasting rooms, retail sales located within 1 mile of arterial or collector	Site takes access from Creston Road, a collector road	Yes
Setbacks from residences outside of the ownership of the applicant (Section 22.30.070)	200 feet for wine processing buildings 400 feet for tasting room	Winery facility and tasting room buildings are located over 1,000 feet from nearest offsite residence	Yes
Setbacks from property lines: (Section 22.30.070)	100 feet required for wine processing buildings 200 feet for Tasting Room	Front: 1,800 ft Side: 51 ft Side: 1,000+ ft Rear: 600+ ft Front: 1,800+ ft Side: 400+ ft Side: 900+ ft Rear: 700+ ft	Request for waiver of 100-ft side setback for winery processing in an existing ag building with a 51-ft setback Yes

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Setbacks of Tasting room to Processing Facility (Section 22.30.070)	Tasting Room must be within 200 feet of the wine processing facility	85 ft	Yes
Height (Section 22.30.070)	35 feet	34 ft	Yes
Design Standards (Section 22.30.070)	Agricultural or residential in nature	No new construction	Yes
Tasting room (Section 22.30.070)	One tasting room allowed for each winery	One tasting room	Yes
Liquid waste disposal (Section 22.30.070)	<ul style="list-style-type: none"> Winery wastewater - standards set through RWQCB Domestic wastewater - leach lines shall be located at least 100 feet from any private well 	<ul style="list-style-type: none"> Conditioned for waste discharge permit from RWQCB Conditioned to provide information to Environmental Health Department to comply 	Yes as conditioned Yes as conditioned
Solid waste disposal (Section 22.30.070)	Pomace may be used as fertilizer or soil amendment	Pomace will be composted on site	Yes, as conditioned
Lighting (Section 22.30.070)	Lighting fixtures are required to be shielded	Future lighting is conditioned to follow ordinance requirements	Yes, as conditioned
Screening/ Landscaping (Section 22.30.070)	Screening if visible from public road	Not visible from public road due to intervening topography and vegetation	Yes, as conditioned
Signs (Section 22.20)	<ul style="list-style-type: none"> One monument sign Maximum of aggregate area of 100 sf of signing per site Maximum area of 40 sf Maximum height of 5 ft. 	No new signage is proposed	Yes
Parking (Section 22.18)	Winery: 9,928 sf processing @ 1 / 2,000 sf = 5 6,099 sf ag storage @ 1/ 5,000 sf = 1 Wine Tasting: 830 sf @ 1/ 200 = 4 Total required: 10 spaces	Existing parking area used during Temporary Events; ample space for parking exists	Yes

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Design and Operation Standards / Special Event Parking (Section 22.30.610.D.1-4 and E; 22.18.060)	400 sf per vehicle; Located on open areas with slopes of 10 % or less, free of combustible material;	No Winery Special Events requested	Yes; no new parking is required
Design and Operation Standards / Water Supply and sanitation (Section 22.30.610.D.1-4 and E)	Facilities to be provided as required by the Health Department	Project designed to meet Health Department Standards	Yes, as conditioned
Permit Requirement	Minor Use Permit approval is required for ag processing and wineries, unless project characteristics require a Conditional Use Permit	Proposed New Winery and Tasting Room (No changes proposed to Minor Use Permit - DRC2010-00086 for Temporary Events)	Yes, with approval of Minor Use Permit DRC2015-00148 as conditioned

SETBACK MODIFICATION REQUEST - SECTION 22.30.070.D.2.d.(1).

The Land Use Ordinance states that: *All winery structures and outdoor use areas shall be a minimum of 100 feet from each property line and no closer than 200 feet to any existing residence outside of the ownership of the applicant. Where a winery has public tours, tasting, retail sales, or special events, the setback shall be increased to 200 feet from each property line and no closer than 400 feet to any existing residence outside the ownership of the applicant.*

The applicant is requesting a setback modification to the standard requiring a wine processing facility to be located no closer than 100 feet to property line to allow 51 feet. The adjacent property to the west of the reduced setback is owned by the family and is planted in vineyards. Based on these factors, no impacts are anticipated to occur to adjacent property as a result of this setback reduction.

Required setbacks for a winery can be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required. Approval may be granted only after the Review Authority first determines that the request satisfies any of the following findings: (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); (2) the property fronts an arterial or collector street; (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use.

In this case, the project meets two of the findings. 1) *There is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land.* Constructing a new wine processing facility in a new location that could meet setbacks requirements would have an impact to the environment due to the removal of existing vineyards.

2) *The property fronts an arterial or a collector street.* The property fronts Creston Road which is a collector road.

PLANNING AREA STANDARDS:

El Pomar/Estrella, North County Area Plan.

22.94.040.D Light and Glare: Lighting fixture details approved with construction under the previous MUP are shielded to meet the standard. No new lighting is proposed.

AGRICULTURE POLICY CONSISTENCY:

The proposed project is subject to Agriculture Element Policy 6.

Agriculture Element Policy 6 (AGP 6) requires that visitor-serving use of agricultural land be secondary and incidental to the agricultural use.

This request for conversion of existing agricultural storage building into wine processing facility, and operating a wine tasting room is consistent with the primary agricultural use of wine grape production. Agriculture Department staff has reviewed the proposed project (date) and had no significant concerns; conditions were recommended that are incorporated into project conditions of approval.

COMBINING DESIGNATIONS: Not applicable

COMMUNITY ADVISORY GROUP COMMENTS: The site is not located within an advisory group area.

AGENCY REVIEW:

Public Works – No concerns; stock conditions apply.

Environmental Health – Any modifications to existing commercial kitchen will require permitting; In the event the facility has more than 25 persons per day on site for 60 days out of the year (guests, staff, etc.), an annual permit will be required for the water supply at this facility. (Leslie Terry, August 12, 2016).

Ag Commissioner- The Agriculture Department's review finds that the proposed project will have less than significant impacts to agricultural resources. (Lynda Auchinachie, August 19, 2016).

Building – No concerns; stock conditions apply.

CAL FIRE – No response submitted; project has been conditioned to comply with all fire and life safety requirements of the California Fire Code.

City of Paso Robles – no comment.

Regional Water Quality Control Board –No comment.

LEGAL LOT STATUS:

The two existing lots were part of the Denning and Dresser Tract and certificate of compliances were recorded: (C96-0096).

Staff report prepared by Cindy Chambers, and reviewed by Steve McMasters